Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities	)	CG Docket No. 03-123

COMMENTS OF THE NEBRASKA PUBLIC SERVICE COMMISSION

The Nebraska Public Service Commission (NPSC) hereby submits these comments in response to the Commission's request for comments to refresh the record on the numbering issue identified in the *Interoperability FNPRM*, released on May 9, 2006.[1] Specifically, the Consumer & Governmental Affairs Bureau sought comment on assigning internet protocol (IP)-based telecommunications relay service (TRS) users ten-digit telephone numbers linked to the North American Numbering Plan (NANP) and current viewpoints and any new developments with respect to technical, economic, and administrative issues. The NPSC appreciates the opportunity to offer comments on the issues raised by the Commission.

The *Interoperability FNPRM* states "As the legislative history of Title IV emphasizes, TRS is meant to provide 'opportunities for communications that are equivalent to those provided to individuals able to use voice telephone services.'"[2] To achieve this goal, the NPSC feels a Video Relay Service (VRS)[3] system must

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[1] *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing Disabilities*, CG Docket No. 03-123, Declaratory Ruling and Further Notice of Proposed Rulemaking, 21 FCC Rcd 5442, 5459-60, at paras. 44-50 (May 9, 2006) (*Interoperability FNPRM*).
[2] Id. at 5459-60, at para 4.
[3] VRS is a form of TRS that allows individuals with hearing or speech disabilities to communicate using sign language through video equipment and the Internet. Other Internet Protocol (IP)-based

meet the following three criteria, 1) be non-discriminatory, 2) provide equal access to all users, and 3) allow VRS users to change their choice of service provider.

An ATIS report entitled, "Numbering for Internet-Based Relay Services,[4] identified the following objectives and VSR goals for any system:

- Allow VRS users to be assigned and reached using a ten-digit geographic telephone number when dialed by hearing callers from the Publicly Switched Telephone Network (PSTN).
- Allow deaf users to use the telephone number of another deaf person to set up a call to them (e.g., a video call from one customer's equipment to another customer's equipment; no Communications Assistant (CA) required).
- Allow VRS users to change their incoming and/or outgoing VRS provider of choice.
- Provision service so a hearing person can dial the toll-free telephone number of a VRS provider and upon reaching a VRS CA, tell the VRS provider the ten-digit telephone number to call. The call then is set up to the deaf user.
- Provision service so a deaf person can contact a VRS provider who uses a telephone number to set up a call with the requested hearing person.
- Any VRS user can receive calls by any other VRS user or VRS provider by using a telephone number without requiring the IP address of the called VRS user.

TRS services include IP Relay and IP Captioned Telephone Service (CTS).

[4] "Numbering for Internet-Based Relay Services," ATIS Report 0300093 (December 19, 2007) (available at http://www.atis.org/INC/Docs/finaldocs/Numbering-for-Internet-Based-Relay-Services-12-19-07.doc).

The NPSC finds the objectives and goals outlined in the ATIS article consistent with the originally stated three criteria for any VRS system and fully support industry implementation consistent with these goals and objectives.

The ATIS report also listed six possible methods of assigning ten-digit telephone numbers to VRS users. The six possible methods are as follows:

1. Directly allocate numbers to VRS service providers by North American Numbering Plan Administrator (NANPA) or the Pooling Administrator (PA). The VRS service provider would in turn assign them to VRS users.
2. VRS service providers obtain numbers from existing voice service providers and in turn assign them to VRS users.
3. VRS service providers obtain numbers from some neutral third party and in turn assign them to VRS users.
4. VRS users directly obtain numbers from voice service providers and arrange for routing to their chosen VRS provider.
5. VRS users obtain numbers directly from a neutral third party.
6. VRS service providers acting as agents on the behalf of VRS users obtain numbers from existing voice service providers.

In reviewing the suggested six possible methods of assigning ten-digit telephone numbers to VRS users, the NPSC believes some of these methods raise concerns. In regard to methods 1, 2, 3, and 5, these proposals do not meet the initial three criteria outlined by the NPSC above, being non-discriminatory, equally accessible, and portable.

Assigning telephone numbers to VRS users from a pool of numbers associated with a service provider that provides telephone numbers exclusively to the hearing impaired community is potentially discriminatory by indicating that the only individuals receiving telephone numbers from such sources are members of the deaf and hard of hearing community.

Concerning equal accessibility, if the only telephone numbers available as a VRS identifier are issued by a VRS provider, a VRS user would only have access to those providers with numbering resources in the rate center where they reside. The VSR user would not have equal access to all providers as other voice telephone users do today.

A majority of the complaints the NPSC has received about local number portability (LNP) can be directly traced to the indirect assignment of numbers to wireless carriers or to companies providing Voice Over Internet Protocol (VoIP) service. When a customer requests that their number be ported to a new carrier, often the customer information held by the original holder of the number does not match the information provided to the new carrier. These same issues will arise if methods 1, 2, 3, and 5 are employed resulting in VRS users not being able to port their numbers with the same ease that most voice users enjoy.

Additionally, methods 1, 2, 3, and 5 do not provide the best utilization of telephone numbers. The assignment of telephone numbers using these methods would most likely be in "blocks" of numbers, either blocks of one-thousand numbers or some smaller block size depending on whether the VRS provider is a certificated

carrier or being allocated numbers from another carrier. The NPSC believes these methods would inefficiently allocate telephone numbers and in certain area codes and rate centers with high utilization rates, would move these area codes toward total exhaust much more quickly.

For an example of how area code exhaust could be negatively impacted by these four proposed methods, consider the Nebraska TRS program. As of the end of February 2008, there were 7,453 active TRS equipment vouchers in 441 different communities in Nebraska. Nebraska is served by two area codes, Area Code 402 overlays the Eastern portions of Nebraska and Area Code 308 the Western portions of the state. The 402 Area Code is nearing exhaust and the NPSC has diligently worked to extend the life of the area code. Of the 441 communities containing TRS program users, 267 of the communities are located in the 402 Area Code. Three hundred and seventy three (373) of the communities have nine or fewer TRS users and only 46 communities have 10 or more TRS users. The assignment of entire blocks of numbers to serve VRS users would be a most inefficient use of numbering resources and would greatly hasten the exhaust of Area Code 402 in Nebraska.

In the NPSC's opinion, methods 4 and 6, which allow for direct assignment of numbers to VRS users, meet all three of Nebraska's criteria of being non-discriminatory, equally accessible, and portable. Further, methods 4 and 6 will provide for the best utilization of scarce telephone numbering resources in some locations and not significantly contribute to the premature exhaust of area codes. At this time the NPSC does not see any significant slamming issues or Consumer

Proprietary Network Information (CPNI) issues if numbers were obtained directly by the VRS user or an agent of the VRS user.

Finally, the NPSC agrees with the recommendations in the ATIS report regarding database management and fully supports the use of a centralized database managed by a neutral third-party. However, the NPSC has no opinion, at this time, as to which type of database, URI or DNS, would be best. The NPSC does disagree with the idea of numbering assignments being made directly by VRS providers at the rate center level even if the provider is a certificated carrier. Such assignments could potentially be discriminatory, impede equal access, make local number portability more difficult, and significantly hinder number conservation efforts.

The NPSC appreciates the opportunity to comment on these vital issues facing VRS providers and users. The new challenges that have arisen with the advent of new technological advancement warrant careful and meaningful deliberation and the NPSC applauds the FCC's pro-active and farsighted approaches to the technical, economic, and administrative issues facing TRS systems.

Dated this 8th day of April, 2008.

Respectfully Submitted,

Nebraska Public Service Commission

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